IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

PAMELA KILTY, individually and as Special Administrator of the Estate of Elvira Kilty, PAUL J. KILTY, DAVID L. KILTY, WILLIAM J. KILTY and JAMES S. KILTY,

Plaintiffs,

ORDER

v.

16-cy-515-wmc

WEYERHEAUSER COMPANY, 3M COMPANY, METROPOLITAN LIFE INSURANCE COMPANY, OWENS-ILLINOIS, INC., UNKNOWN INSURERS OF OWENS-ILLINOIS, INC., UNKNOWN INSURERS OF RODDIS PLYWOOD CORPORATION and UNKNOWN INSURERS OF WEYERHAEUSER COMPANY,

Defendants.

SCOTT SPATZ, as Special Administrator of the Estate of Herbert Spatz,

Plaintiff,

ν.

16-cv-726-wmc

WEYERHEAUSER COMPANY, 3M COMPANY, METROPOLITAN LIFE INSURANCE COMPANY, OWENS-ILLINOIS, INC., UNKNOWN INSURERS OF OWENS-ILLINOIS, INC., UNKNOWN INSURERS OF RODDIS PLYWOOD CORPORATION and UNKNOWN INSURERS OF WEYERHAEUSER COMPANY.

Defendants.

The above-captioned cases are the latest of several brought against defendants Weyehaeuser, Owens-Illinois and 3M in this court that concern asbestos exposure and

subsequent development of asbestos-related diseases. The court previously stayed both of

these lawsuits pending the outcome of a consolidated appeal to the Seventh Circuit Court

of Appeals from this court's ruling in earlier, similar cases. ('515 dkt. #35; '726 dkt. #18.)

Yesterday, the Seventh Circuit issued an opinion and order affirming this court's rulings

with respect to the claims asserted against defendants Owens-Illinois and Weyerhaeuser.1

Accordingly, the stays entered in the above-captioned cases are LIFTED. Plaintiffs

have until June 28, 2017, to file amended pleadings consistent with the Seventh Circuit's

opinion. In particular, plaintiffs: (1) may well wish to withdraw all claims against Owens-

Illinois in their respective amended pleadings, rather than face possible sanctions by this

court; and (2) should be mindful of the Seventh Circuit's treatment of any claim asserted

against Weyerhaeuser based on non-occupational exposure. Defendants' respective

answers, motions or other responses to the amended pleading will be due 21 days from

filing. Once the answers or motions to dismiss have been filed, the court will hold a

preliminary pretrial conference to establish appropriate deadlines and expedited trial dates.

Entered this 7th day of June, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY

District Judge

¹ Plaintiffs in the earlier cases settled their claims with 3M without this court rendering any decision on the merits. Accordingly, those claims were not addressed in the appeals.

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